



# Frost Brown Todd<sup>LLC</sup>

ATTORNEYS

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September 7, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Application: 10/663,718  
Filed: 09/17/2003  
Applicant: Hunter, et al.  
For: SYSTEM AND METHOD PERMITTING MERCHANTS TO USE  
ELECTRONIC BILLBOARD DISPLAYS TO CARRY  
ADVERTISEMENTS FOR PRODUCTS THAT CAN BE PURCHASED  
THROUGH A UNIVERSAL AUTOMATED ORDER PROCESSING  
SYSTEM  
Atty Ref.: 0103637-0533877

Dear Sir:

Enclosed for filing are the following papers for the above-referenced patent application:

1. Preliminary Amendment;
2. Replacement Drawings (2 sheets);
3. Copy of Formalities Letter mailed 07/12/2005; and
4. Self-addressed postage prepaid return receipt postcard.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 06-2226, including all fees for extensions of time and any filing fees under 37 CFR § 1.16.

Respectfully submitted,

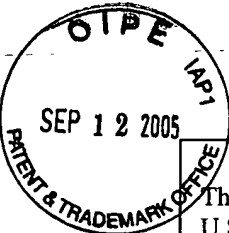
FROST BROWN TODD LLC

Andrew B. Ulmer (Reg. No. 57,003)

Commissioner for Patents

September 7, 2005

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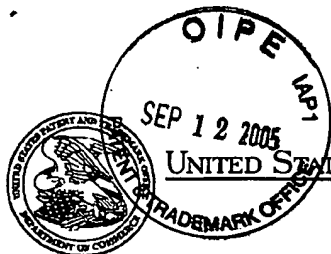
Certificate of Mailing

The undersigned certifies that this correspondence was deposited with the U.S. Postal Service with sufficient postage as first class mail and addressed to "Mail Stop Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450" on this 7<sup>th</sup> day of Sept., 2005.

A handwritten signature in black ink, appearing to read "Andrew B. Todd".

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UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/663,718	09/17/2003	Charles Eric Hunter	0103637-0533876

CONFIRMATION NO. 2224

## FORMALITIES LETTER



\*OC000000016498143\*

26874  
 FROST BROWN TODD, LLC  
 2200 PNC CENTER  
 201 E. FIFTH STREET  
 CINCINNATI, OH 45202

Date Mailed: 07/12/2005

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 10, 12 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$400.00 petition fee (37 CFR 1.17(f))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$400.00 petition fee (37 CFR 1.17(f)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(f)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

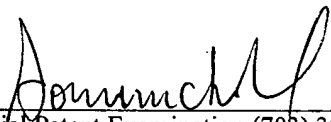
In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any

omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "D. M. Smith", is written over a horizontal line.

Office of Initial Patent Examination (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE